

Testimony in Support of HB-6355, An Act Concerning Risk Protection Orders

Senator Winfield, Representative Stafstrom, ranking members Kissel and Fishbein and distinguished members of the Judiciary Committee:

I am from Westport and a supporter of CT Against Gun Violence. I urge you to report HB-6355 out of committee favorably so that the General Assembly can vote to strengthen our Extreme Risk Protection law. If enacted, this legislation will save lives.

Connecticut was the first state in the nation to pass an Extreme Risk Protection Order law, in 1999. It offers a means of last resort, with due process protections, to temporarily remove firearms from individuals judged to be at risk of imminent harm to themselves or others. It has been shown to prevent firearm suicide and stop mass shootings. It is time to strengthen the law so that it works harder to prevent gun violence. In particular, when the protection order expires, it should be a requirement that the subject is no longer at risk of violence before the firearms are returned. That is not the case now.

Many deaths from firearms could have been prevented over the past year if a stronger law had been in place. Individuals considering suicide often give some sign of their intentions. Moreover, an FBI study of the pre-attack behaviors of active shooters found on average they displayed four to five observable and concerning behaviors that suggested the possibility of violent intentions.

Claims by opponents that ERPO laws violate due process lack merit. According to the Giffords Law Center, no court has invalidated an extreme risk protection order or risk-warrant law. Courts in Connecticut, Indiana, and Florida that have heard challenges to ERPO laws have held they do not violate the due process and/or are constitutional under the Second Amendment. Further, Judges are required to have clear and convincing evidence to issue final risk protection orders.

Because there are often warning signs preceding violent or suicidal behavior, this last-resort measure with due process protections is an effective tool for reducing gun violence. For this reason, I ask that you favorably report HB-6355 out of committee so that the General Assembly can vote to strengthen our Extreme Risk Protection law so that it works harder to prevent firearm suicide and homicide. Thank you for your consideration.

Sincerely,
Mark Friedman
Westport, CT